

DECLARATION FOR PATENT APPLICATION (WITH POWER OF ATTORNEY)

As an inventor named below or on any attached continuation page, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD, APPARATUS AND SYSTEM FOR REMOVING MOTION ARTIFACTS FROM MEASUREMENTS OF BODILY PARAMETERS**, the specification of which (check one):

- ☐ is attached hereto.
☒ was filed on April 10, 2000 as United States application serial no. 09/546,260.
☐ was filed on _____ as PCT international application no. _____ and was amended under PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to the patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT international application(s) designating at least one country other than the United States of America listed below and on any attached continuation page and have also identified below and on any attached continuation page any foreign application for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America having a filing date before that of the application(s) on which priority is claimed.

Prior foreign/PCT application(s):

(number)	(country)	(day/month/year filed)	Priority Claimed	
			Yes	No
_____	_____	_____	_____	_____
(number)	(country)	(day/month/year filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) or § 365(c) of PCT international application(s) designating the United States of America listed below and on any attached continuation page and, insofar as the subject matter of each of the claims of this application is not disclosed in any such prior application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of such prior application and the national or PCT international filing date of this application:

<u>09/410,991</u> (application serial no.)	<u>October 1, 1999</u> (filing date)	<u>pending</u> (status - pending, patented or abandoned)
_____	_____	_____
(application serial no.)	(filing date)	(status - pending, patented or abandoned)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

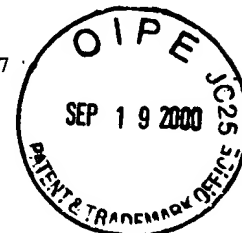
<u>60/104,422</u> (provisional application no.)	<u>October 15, 1998</u> (filing date)
_____	_____

I hereby appoint the following Registered Practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

David V. Trask, Reg. No. 22,012
 Joseph A. Walkowski, Reg. No. 28,765
 Edgar R. Cataxinos, Reg. No. 39,931
 Brick G. Power, Reg. No. 38,581
 Devin R. Jensen, Reg. No. 44,805
 Kenneth C. Booth, Reg. No. 42,342
 Bradley B. Jensen, Reg. No. P-46,801

William S. Britt, Reg. No. 20,969
 James R. Duzan, Reg. No. 28,393
 Kent S. Burningham, Reg. No. 30,453
 Kenneth B. Ludwig, Reg. No. 42,814
 David L. Stott, Reg. No. 43,937
 Samuel E. Webb, Reg. No. 44,394

Laurence B. Bond, Reg. No. 30,549
 Allen C. Turner, Reg. No. 33,041
 Stephen R. Christian, Reg. No. 32,687
 Paul C. Oestreich, Reg. No. 44,983
 Eleanor V. Goodall, Reg. No. 35,162
 Kerry D. Tweet, Reg. No. 45,959



Address all correspondence to: Joseph A. Walkowski, telephone no. (801) 532-1922.
TRASK BRITT
P.O. BOX 2550
Salt Lake City, Utah 84110

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: Reuben W. Edgar, Jr.

Inventor's signature

Residence: San Antonio, Texas

Citizenship: United States of America

Post Office Address: 8403 Oak Fence, San Antonio, TX 78251

Date

9-12-2000

DECLARATION FOR PATENT APPLICATION
(continuation page)

Invention title: METHOD, APPARATUS AND SYSTEM FOR REMOVING MOTION ARTIFACTS FROM MEASUREMENTS OF BODILY PARAMETERS

Inventor name(s) appearing on first declaration page: Reuben W. Edgar, Jr.

☒ Additional original, first and joint inventor(s):

Full name of second joint inventor: August L. Alto, Jr.

Inventor's signature

Date

12 SEP 2000

Residence: San Antonio, Texas

Citizenship: United States of America

Post Office Address: 8410 Timber Belt, San Antonio, TX 78250

Full name of third joint inventor: Paul B. Gunneson

Inventor's signature

Date

Residence: Cheshire, Connecticut

Citizenship: United States of America

Post Office Address: 764 Devonwood Dr., Cheshire, CT 06410

Full name of fourth joint inventor: Jesus D. Martin

Inventor's signature

Date

Residence: Wallingford, Connecticut

Citizenship: Spain

Post Office Address: 333 Christian St., Wallingford, CT 06492

Full name of fifth joint inventor: John R. DelFavero

Inventor's signature

Date

Residence: East Hampton, Connecticut

Citizenship: United States of America

Post Office Address: 16 Sunset Dr., East Hampton, CT 06424

Full name of sixth joint inventor: Michael B. Jaffe

Inventor's signature

Date

Residence: Cheshire, Connecticut

Citizenship: United States of America

Post Office Address: 410 Mountain Rd., Cheshire, CT 06410

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☒ was filed on April 10, 2000 as United States application serial no. 09/546,260.
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Full name of first joint inventor: Reuben W. Edgar, Jr.

Inventor's signature _____ Date _____

Residence: San Antonio, Texas

Citizenship: United States of America

Post Office Address: 8403 Oak Fence, San Antonio, TX 78251

DECLARATION FOR PATENT APPLICATION
(continuation page)

Invention title: METHOD, APPARATUS AND SYSTEM FOR REMOVING MOTION ARTIFACTS FROM MEASUREMENTS OF BODILY PARAMETERS

Inventor name(s) appearing on first declaration page: Reuben W. Edgar, Jr.

☒ Additional original, first and joint inventor(s):

Full name of second joint inventor: August J. Allo, Jr.

Inventor's signature _____ Date _____
Residence: San Antonio, Texas
Citizenship: United States of America
Post Office Address: 8410 Timber Belt, San Antonio, TX 78250

Full name of third joint inventor: Paul B. Gunneson

Inventor's signature Paul B Gunneson Date 6-Sept-2000
Residence: Cheshire, Connecticut
Citizenship: United States of America
Post Office Address: 764 Devonwood Dr., Cheshire, CT 06410

Full name of fourth joint inventor: Jesus D. Martin

Inventor's signature Jesus Martin Date 6-Sept-2000
Residence: Wallingford, Connecticut
Citizenship: Spain
Post Office Address: 333 Christian St., Wallingford, CT 06492

Full name of fifth joint inventor: John R. DelFavero

Inventor's signature John R DelFavero Date 6-Sept-2000
Residence: East Hampton, Connecticut
Citizenship: United States of America
Post Office Address: 16 Sunset Dr., East Hampton, CT 06424

Full name of sixth joint inventor: Michael B. Jaffe

Inventor's signature MB Jaffe Date 6-Sept-2000
Residence: Cheshire, Connecticut
Citizenship: United States of America
Post Office Address: 410 Mountain Rd., Cheshire, CT 06410



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Applicant or Patentee: Reuben W. Edgar, Jr., et alAttorney Docket No. 4326USSerial No.: 09/546,260Filed: April 10, 2000For: METHOD, APPARATUS AND SYSTEM FOR REMOVING MOTION ARTIFACTS FROM MEASUREMENTS OF BODILY PARAMETERS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 C.F.R. §§ 1.9(f) and 1.27 (e)) - SMALL BUSINESS CONCERN



I hereby declare that I am

- ☐ the owner of the small business concern identified below;
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below;

NAME OF CONCERN: NTC Technology Inc.ADDRESS OF CONCERN: 100 North Market Street, Wilmington, Delaware 19801

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled "METHOD, APPARATUS AND SYSTEM FOR REMOVING MOTION ARTIFACTS FROM MEASUREMENTS OF BODILY PARAMETERS" by inventor(s) Reuben W. Edgar, Jr., August J. Alln, Jr., Paul B. Gunnoson, Jesus D. Martin, John R. Delfavero, and Michael B. Jaffe described in

- ☐ the specification filed herewith;
- ☒ application serial no. 09/546,260, filed April 10, 2000;
- ☐ patent no. _____, issued _____;

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights in the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

NAME: _____

ADDRESS: _____

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

NAME: _____

ADDRESS: _____

☐ Individual☐ Small Business Concern☐ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. § 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Thomas M. HaytheTITLE OF PERSON OTHER THAN OWNER: PresidentADDRESS OF PERSON SIGNING: 90 Park Avenue, 15th Floor, New York, NY 10016SIGNATURE: Thomas M. HaytheDATE: 09.13.00